

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

DARIUS KIMBROUGH,

Case No. 17-3477 CCB

Plaintiff,

V.

TYLER SENTZ, *et al.*,

Defendants.

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MOTION FOR SUBSTITUTION OF PARTY
PURSUANT TO F.R.C.P. 25(a)(1)

NOW COMES the The Law Office of Keith Altman and respectfully submits to this Court, pursuant to Federal Rule of Civil Procedure 25(a)(1), this Motion for Substitution of Party regarding Plaintiff Darius Kimbrough, now deceased. In support of this motion, Plaintiff's attorney offers the following:

1. Plaintiff Darius Kimbrough died on or about November 11, 2020. He died intestate.

2. Federal Rule of Civil Procedure 25(a)(1) states:

“If a party dies and the claim is not extinguished, the court may order substitution of the proper party. (...)”

3. Katrina Davis is the surviving mother of Darius Kimbrough.

She is in the process of filing an estate proceeding in her son's name and will ask the probate court to name her as the estate's representative.
4. During Mr. Kimbrough's lifetime, Ms. Davis was the only parent with whom he was close. Until the time of his death, Mr. Kimbrough continued to maintain a close familial relationship with his mother, Katrina.
5. Mrs. Kimbrough is fully knowledgeable of the events surrounding the subject matter of this suit. She has kept herself informed as to the course of the litigation through communications with Plaintiff's counsel. Accordingly, she is fully prepared to prosecute this matter and act in the interests of any and all of Mr. Kimbrough's natural heirs.
6. For the forgoing reasons, Katrina Kimbrough is an appropriate party to be substituted.
7. Pursuant to Rule 25(a)(1) of the Federal Rules of Civil Procedure, Plaintiff's attorney files this Motion to Amend the Complaint to Substitute Katrina Davis as Plaintiff.

Date: July 12, 2021

Respectfully Submitted,

/s/Keith Altman

Keith Altman (Bar ID: 20234)

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Attorney for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on July 12, 2021, I served the foregoing document on all Defendants of record *via* electronic filing:

/s/ Keith Altman

Keith Altman

Attorney for Plaintiff